



## DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION\*

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

**Using Heat Shock Proteins To Increase Immune Response**

and for which a patent application:

- is attached hereto and includes amendment(s) filed on *(if applicable)*  
 was filed in the United States on October 20, 2000 as Application No. 09/693,643 *(for declaration not accompanying application)*  
with amendment(s) filed on *(if applicable)*  
 was filed as PCT international Application No. on and was amended under PCT Article 19 on *(if applicable)*

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

PROVISIONAL APPLICATION NUMBER	FILING DATE

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

NON-PROVISIONAL APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED

\* for use only when the application is assigned to a company, partnership or other organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2 0 1	FULL NAME OF INVENTOR	LAST NAME Srivastava	FIRST NAME Pramod	MIDDLE NAME K.
	RESIDENCE & CITIZENSHIP	CITY Avon	STATE OR FOREIGN COUNTRY Connecticut	COUNTRY OF CITIZENSHIP India
	POST OFFICE ADDRESS	STREET 70 Pheasant Run	CITY Avon	STATE OR COUNTRY Connecticut
	SIGNATURE OF INVENTOR 201		DATE 1/16/01	
2 0 2	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY
	SIGNATURE OF INVENTOR 202		DATE	
2 0 3	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY
	SIGNATURE OF INVENTOR 203		DATE	
2 0 4	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY
	SIGNATURE OF INVENTOR 204		DATE	
2 0 5	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY
	SIGNATURE OF INVENTOR 205		DATE	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:  Application of: Pramod K. Srivastava  
 Patent of:



Application No.: 09/693,643  
 Patent No.:

Group Art Unit: Not Yet Assigned

Filed: October 20, 2000  
 Issued:

Examiner: Not Yet Assigned

For: Using Heat Shock Proteins To Increase Immune Response Attorney Docket No.: 8449-073-999

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
[37 CFR 1.9(f) and 1.27(c)] - Small Business Concern

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

I hereby declare that I am

- the owner of the small business concern identified below:  
 an official of the small business concern empowered to act in behalf of  
the concern identified below:

Name of organization Antigenics, Inc.

Address of organization 630 Fifth Avenue

New York, New York 10111

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the person employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern and/or there is an obligation under contract or law by the inventor(s) to convey rights to the small business concern with regard to the invention entitled "Using Heat Shock Proteins To Increase Immune Response" by inventor(s) Pramod K. Srivastava described in

- the specification filed herewith  
 application no. 09/693,643 filed October 20, 2000  
 patent no. issued

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

FULL NAME University of Connecticut Health Center  
ADDRESS 263 Farmington Avenue  
Farmington, Connecticut 06030  
 INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28 (b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and patent issuing thereon, or any patent to which this verified statement is directed.

Send correspondence to: **PENNIE & EDMONDS LLP**  
1155 Avenue of the Americas  
New York, N.Y. 10036-2711

Direct Telephone calls to:  
**PENNIE & EDMONDS LLP**  
(212) 790-9090

Name of person signing Garo H. Armen  
Title of person other than owner Chief Executive Officer  
Address of person signing Antigenics, Inc.  
630 Fifth Avenue, Suite 2100  
New York, NY 10111

Signature  Date 1/11/01

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities.  
(37 CFR 1.27)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Pramod K. Srivastava  
 Patent of:

Application No.: 09/693,643  
 Patent No.:

Group Art Unit: Not Yet Assigned

Filed: October 20, 2000  
 Issued:

Examiner: Not Yet Assigned

For: Using Heat Shock Proteins To Increase Immune Response Attorney Docket No.: 8449-073-999

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
[37 CFR 1.9(f) and 1.27(d)] - Nonprofit Organization

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of organization University of Connecticut Health Center

Address of organization 263 Farmington Avenue  
Farmington, Connecticut 06030

Type of organization

- University or other institution of higher education  
 Tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3))  
 Nonprofit scientific or educational under statute of state of the United States of America  
(Name of state \_\_\_\_\_)  
(Citation of statute \_\_\_\_\_)  
 Would qualify as tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3)) if located in the United States of America.  
 Would qualify as nonprofit scientific or educational under statute of state of the United States of America if located in the United States of America  
(Name of state \_\_\_\_\_)  
(Citation of statute \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled "Using Heat Shock Proteins To Increase Immune Response" by inventor(s) Pramod K. Srivastava described in

- the specification filed herewith  
 application no. 09/693,643 filed October 20, 2000  
 patent no. issued

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization identified above and/or there is an obligation under contract or law by the

inventor(s) to convey rights to the nonprofit organization identified above with regard to the invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

FULL NAME Antigenics, Inc.

ADDRESS 630 Fifth Avenue  
New York, New York 10111

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28 (b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and patent issuing thereon, or any patent to which this verified statement is directed.

Send correspondence to:

PENNIE & EDMONDS LLP  
1155 Avenue of the Americas  
New York, N.Y. 10036-2711

Direct Telephone calls to:  
PENNIE & EDMONDS LLP  
(212) 790-9090

Name of person signing Michael F. Newborg, Ph.D.

Title of person other than owner Executive Director

Address of person signing University of Connecticut

263 Farmington Ave., Farmington, CT 06030-6207

Signature Michael F. Newborg Date January 10, 2001

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities.  
(37 CFR 1.27)



Express Mail No.: EL 501 634 290 US

PENNIE & EDMONDS LLP

COUNSELLORS AT LAW  
1155 Avenue of the Americas  
New York, N.Y. 10036-2711  
(212) 790-9090

ATTORNEY DOCKET NO. 8449-073-999

Date: October 20, 2000

Assistant Commissioner for Patents  
Box PATENT APPLICATION  
Washington, D.C. 20231

Sir:

The following utility patent application is enclosed for filing:

Applicant(s): Pramod K. Srivastava

Executed on: Unexecuted

Title of Invention: USING HEAT SHOCK PROTEINS TO INCREASE IMMUNE RESPONSE

**PATENT APPLICATION FEE VALUE**

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	Fee
Total Claims	155	-20	135	\$18.00 each	\$ 2,430.00
Independent	14	-3	11	\$80.00 each	\$ 880.00
			Minimum Fee		\$ 710.00
			Multiple Dependency Fee If Applicable (\$270.00)		\$ 270.00
			Total		\$ 4,290.00
			50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern (a verified statement as to the applicant's status is attached)		\$ 0.00
			Total Filing Fee		\$ 4,290.00

- Priority of application no. filed on in is claimed under 35 U.S.C. § 119.
- The certified copy of the priority application has been filed in application no. filed
- Amend the specification by inserting before the first line the following sentence: This is a continuation-in-part of application no. filed .

Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

*Adriane M. Antler* *By: Adriane M. Antler* *40,258*  
*32,605*  
Adriane M. Antler (Reg. No.)  
PENNIE & EDMONDS LLP

Enclosure

This form is not for use with continuation, divisional, re-issue, design or plant patent applications.

## ASSIGNMENT

WHEREAS, I, Pramod K. Srivastava, ASSIGNOR, citizen of India, residing at 70 Pheasant Run, Avon, Connecticut, 06001, am the inventor of the invention in "Using Heat Shock Proteins To Increase Immune Response" for which I have executed an application for a Patent of the United States

- which is executed on     even date herewith or     \_\_\_\_\_
- which is identified by Pennie & Edmonds LLP docket no. 8449-073-999  
 which was filed on October 20, 2000, Application No. 09/693,643

and WHEREAS, University of Connecticut Health Center, a corporation organized and existing under the laws of the State of Connecticut, having its principal office at 263 Farmington Avenue, Farmington, Connecticut, 06030-6207, ASSIGNEE, is desirous of obtaining my entire right, title and interest in, to and under the said invention and the said application:

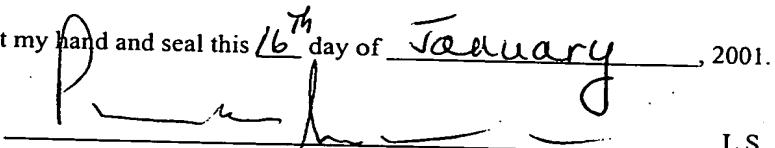
NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said ASSIGNOR, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, my entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND I HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant and agree that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith.

AND I HEREBY further covenant and agree that I will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to me respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 16<sup>th</sup> day of January, 2001.

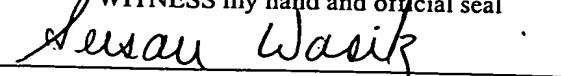


L.S.

State of Connecticut  
 County of Hartford } SS.: Farmington

On January 16<sup>th</sup>, 2001, before me, Susan Wasik, Notary Public, personally appeared PRAMOD K. SRIVASTAVA, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal



My Commission Exp. Jan. 31, 2005



## POWER OF ATTORNEY

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Pramod K. Srivastava

Application No.: 09/693,643

Group Art Unit: 1653

Filed: October 20, 2000

Examiner: Not Yet Assigned

For: Using Heat Shock Proteins To Increase  
Immune Response

Attorney Docket No.: 8449-073-999

**POWER OF ATTORNEY BY ASSIGNEE  
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints: S. Leslie Misrock (Reg. No. 18872), Berj A. Terzian (Reg. No. 20060), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebel (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), Gary S. Williams (Reg. No. 31066), William S. Galliani (Reg. No. 33885), Ann L. Gisolfi (Reg. No. 31956), Todd A. Wagner (Reg. No. 35399), Scott B. Familant (Reg. No. 35514), Kelly D. Talcott (Reg. No. 39582), Francis D. Cerrito

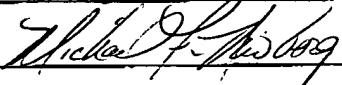
## POWER OF ATTORNEY

(Reg. No.38100), Anthony M. Insogna (Reg. No. 35203), Brian M. Rothery (Reg. No. 35340), Brian D. Siff (Reg. No. 35679), and Alan Tenenbaum (Reg. No. 34939), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, all of Pennie & Edmonds LLP (PTO Customer No. 20583), as its attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. 3.71, provided that, if any one of these attorneys ceases being affiliated with the law firm of Pennie & Edmonds LLP as partner, counsel, or employee, then the appointment of that attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

An assignment of the entire interest in the above-identified subject application:

- was recorded on \_\_\_\_\_ at reel/frame \_\_\_/\_\_\_\_\_.  
 is submitted herewith for recording.

Please direct all correspondence for this application to customer no. 20583.

ASSIGNEE: University of Connecticut Health Center  
Signature:   
Typed Name: Michael F. Newborg, Ph.D.  
Position>Title: Executive Director, CSTC  
Address: 263 Farmington Avenue  
Farmington, Connecticut 06030-6207  
Date: January 19, 2001



Express Mail

Date Mailed

Ser. No. \_\_\_\_\_

Inventor \_\_\_\_\_

For \_\_\_\_\_

EXPRESS MAIL NO.: EL 501 634 290 US

Date Mailed: October 20, 2000

Serial No.: Not Yet Assigned

Filed: October 20, 2000

( ) Affidavit Inventor(s): Pramod K. Srivastava

( ) Amendm. For: Using Heat Shock Proteins To Increase Immune

( ) Applicat

Response

( ) Cl:

( ) Appeal, The stamp of the Patent Office hereon shall be taken as an acknowledgment

( ) Assignm of the date stamped of the following:

( ) Brief (in Utility Patent Application Transmittal

( ) Declarati Utility Patent Application Fee Value Transmittal (in duplicate)

( ) Design A Utility Patent Application (69 pages +Abstract)

( ) Disclaim Figures (10 sheets)

( ) Disclosur Unexecuted Declaration and Power of Attorney

( ) w/refs.

( ) Drawings File No. 8449-073-999

Shee

Sender: AMA/TCT

Other: \_\_\_\_\_

File No. \_\_\_\_\_ Sender: \_\_\_\_\_

